

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b), 37 CFR 1.155(c), OR 37 CFR 1.316(c)**

First named inventor: Todd J. Souvignier

Application No.: 09/834,553

Group Art Unit: 2152

Filed: April 12, 2001

Title: METHOD AND APPARATUS FOR PROVIDING
A LINK BETWEEN ARTISTS, RETAILERS AND FANS.

Examiner: Not Yet Assigned

Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

The above-identified application became abandoned for failure to file a timely and proper
Rescission of Non-Publication Request after a PCT filing was made.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Rescission of Request for Non-Publication
- (3) Verified statement that the abandonment was unintentional

RECEIVED

MAR 18 2002

OFFICE OF PETITIONS

1. Petition fee

- ☒ Small-entity fee \$ 640.00 (37 CFR 1.17(m))
☐ Other than small-entity fee \$ _____ (37 CFR 1.17(m)).

**3. Verified statement that the delay caused by the abandonment of the application was
unintentional**

The entire delay in filing the required document from the due date for the document until the
filing of a grantable petition pursuant to 37 CFR 1.137 (b) as authorized by 37 CFR 1.137 (f) was
unintentional.

CERTIFICATE OF MAILING [37 CFR 1.8(a)]

I hereby certify that this correspondence is being deposited with the United States Postal
Service on the date shown below with sufficient postage as first class mail in an envelope
addressed to the: Assistant Commissioner for Patents, Box DAC, Washington D. C. 20231.

March 5, 2002

Date

Pamala Stephenson
Signature

Pamala Stephenson

Typed or printed name of person signing Certificate

03/15/2002 6TEFFERA 00000034 09834553

01 FC:241

640.00 DP

Page 1 of 1

Burden Hour Statement: This form is estimated to take 1 hour to complete. Time will vary depending upon the needs of the
individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief
Information Office, Patent and Trademark Office, Washington, D. C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO
THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Dated: 3/5/02

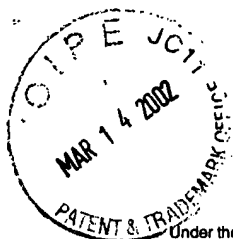


Judith A. Szepesi
Reg. No. 39,393

12400 Wilshire Boulevard,
Seventh Floor
Los Angeles, California 90025
(408) 947-8200

Enclosures: ☒ Response
 ☒ Fee Payment
 ☒ Rescission of Non-Publication Request

Docket Number 004963.P002



COPY OF PAPERS
ORIGINALLY FILED

PTO/SB/36(11-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.


REQUEST TO RESCIND PREVIOUS NONPUBLICATION REQUEST
35 U.S.C. 122(b)(2)(B)(ii)

Application Number 09/834,553
Filing Date April 12, 2001
First Named Inventor Todd J. Souvignier
Title A METHOD AND APPARATUS FOR PROVIDING A LINK BETWEEN ARTISTS, RETAILERS AND FANS.

Attorney Docket No. 004963.p002
Group Art Unit 2152
Examiner Not Yet Assigned

I hereby **rescind** the previous request that the above-identified application not be published under 35 U.S.C. 122(b).

3/5/02
Date


Signature
Judith A. Szepesi
Typed or Printed Name

39,393
Registration No.

This request must be signed in compliance with 37 CFR 1.33(b).

Send to: Assistant Commissioner for Patents, Washington, D.C. 20231

RECEIVED

MAR 18 2002

OFFICE OF PETITIONS



\$:DALC

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 2023

COPY OF PAPERS
ORIGINALLY FILED

on March 5, 2002

Date of Deposit

Pamala Stephenson

Name of Person Mailing Correspondence

Pamala Stephenson March 5, 2002

Signature

Date

RECEIVED

MAR 18 2002

OFFICE OF PETITIONS

Serial/Patent No.: 09/834,553 Filing/Issue Date: April 12, 2001

Client: Earjam.com

Title: A METHOD AND APPARATUS FOR PROVIDING A LINK BETWEEN ARTISTS, RETAILERS AND FANS

BSTZ File No.: 004963.P002

Atty/Secty Initials: JAS/pjs

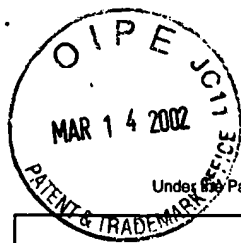
Date Mailed: March 5, 2002

Docket Due Date: ****

The following has been received in the U.S. Patent & Trademark Office on the date stamped herein:

- | | | |
|--|--|--|
| <input type="checkbox"/> Amendment/Response (____ pgs.) | <input type="checkbox"/> Express Mail No.: _____ | <input checked="" type="checkbox"/> Check No. <u>48689</u> |
| <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate) | <input type="checkbox"/> _____ Month(s) Extension of Time | Amt: <u>\$640.00</u> |
| <input type="checkbox"/> Application - Utility (____ pgs., with cover and abstract) | <input type="checkbox"/> Information Disclosure Statement & PTO-1449 (____ pgs.) | <input type="checkbox"/> Check No. _____ |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.) | <input type="checkbox"/> Issue Fee Transmittal | Amt: _____ |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.) | <input type="checkbox"/> Notice of Appeal | |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.) | <input type="checkbox"/> Petition for Extension of Time | |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.) | <input checked="" type="checkbox"/> Petition for <u>Revival</u> | |
| <input type="checkbox"/> Application - Design (____ pgs.) | <input checked="" type="checkbox"/> Postcard | |
| <input type="checkbox"/> Application - PCT (____ pgs.) | <input type="checkbox"/> Power of Attorney (____ pgs.) | |
| <input type="checkbox"/> Application - Provisional (____ pgs.) | <input type="checkbox"/> Preliminary Amendment (____ pgs.) | |
| <input type="checkbox"/> Assignment and Cover Sheet | <input type="checkbox"/> Reply Brief (____ pgs.) | |
| <input checked="" type="checkbox"/> Certificate of Mailing | <input type="checkbox"/> Response to Notice of Missing Parts | |
| <input type="checkbox"/> Declaration & POA (____ pgs.) | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business | |
| <input type="checkbox"/> Disclosure Docs & Orig & Copy of Inventor's Signed Letter (____ pgs.) | <input type="checkbox"/> Transmittal Letter, in duplicate | |
| <input type="checkbox"/> Drawings: _____ # of sheets includes _____ figures | <input checked="" type="checkbox"/> Fee Transmittal, in duplicate | |

☐ Other: _____



COPIES OF PAPERS
ORIGINALLY FILED

PTO/SB/17(11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL FOR FY 2001

TOTAL AMOUNT OF PAYMENT (\$) \$640.00

Complete if Known:

Application No. 09/834,553
Filing Date April 12, 2001
First Named Inventor Todd J. Souvignier
Group Art Unit 2152
Examiner Name To be assigned
Attorney Docket No. 004963.P002

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666
Deposit Account Name _____

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed: ☒ Check

Credit Card
Money Order
Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------------------|----------|
| Code | Fee (\$) | Code | Fee (\$) | | |
| 101 | 710 | 201 | 355 | Utility application filing fee | _____ |
| 106 | 320 | 206 | 160 | Design application filing fee | _____ |
| 107 | 490 | 207 | 245 | Plant filing fee | _____ |
| 108 | 710 | 208 | 355 | Reissue filing fee | _____ |
| 114 | 150 | 214 | 75 | Provisional application filing fee | _____ |

SUBTOTAL (1) \$ _____

2. EXTRA CLAIM FEES

| | | Extra Claims | Fee from below | Fee Paid |
|--------------------|-------|-------------------|----------------|------------|
| Total Claims | _____ | - 20** = <u>0</u> | X _____ | = <u>0</u> |
| Independent Claims | _____ | - 3** = <u>0</u> | X _____ | = <u>0</u> |
| Multiple Dependent | _____ | | _____ | = _____ |

**Or number previously paid, if greater; For Reissues, see below.

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|---|
| Code | Fee (\$) | Code | Fee (\$) | |
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 80 | 202 | 40 | Independent claims in excess of 3 |
| 104 | 270 | 204 | 135 | Multiple dependent claim, if not paid |
| 109 | 80 | 209 | 40 | **Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) \$ 0

RECEIVED

MAR 18 2002

01/25/01

OFFICE OF PETITIONS

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

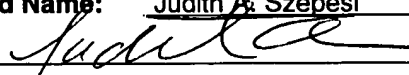
| <u>Large Entity</u> | | <u>Small Entity</u> | | <u>Fee Description</u> | <u>Fee Paid</u> |
|---------------------|-----------------|---------------------|-----------------|--|-----------------|
| <u>Fee Code</u> | <u>Fee (\$)</u> | <u>Fee Code</u> | <u>Fee (\$)</u> | | |
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for ex parte reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 390 | 216 | 195 | Extension for reply within second month | |
| 117 | 890 | 217 | 445 | Extension for reply within third month | |
| 118 | 1,390 | 218 | 695 | Extension for reply within fourth month | |
| 128 | 1,890 | 228 | 945 | Extension for reply within fifth month | |
| 119 | 310 | 219 | 155 | Notice of Appeal | |
| 120 | 310 | 220 | 155 | Filing a brief in support of an appeal | |
| 121 | 270 | 221 | 135 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,240 | 241 | 640 | Petition to revive - unintentional | \$640.00 |
| 142 | 1,240 | 242 | 620 | Utility issue fee (or reissue) | |
| 143 | 440 | 243 | 220 | Design issue fee | |
| 144 | 600 | 244 | 300 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 710 | 246 | 355 | For filing a submission after final rejection (see 37 CFR 1.129(a)) | |
| 149 | 710 | 249 | 355 | For each additional invention to be examined (see 37 CFR 1.129(b)) | |
| 179 | 710 | 279 | 355 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |
| 195 | 300 | 195 | 300 | Publication fee for early, voluntary, or normal publication | |
| 196 | 300 | 196 | 300 | Publication fee for republication | |
| 194 | 130 | 194 | 130 | Request for voluntary publication or republication | |
| 098 | 130 | 098 | 130 | Processing fee under 37 CFR 1.17(l) | |
| 091 | 1,240 | 091 | 1,240 | Acceptance of unintentionally delayed claim for priority | |

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 640.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Judith A. SzepesiSignature:  Date: 3/5/02Reg. Number: 39,393 Telephone Number: 408-720-8300**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



COPY OF PAPERS
ORIGINAL FILED

PTO/SB/17(11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL FOR FY 2001

TOTAL AMOUNT OF PAYMENT (\$) \$640.00

Complete if Known:

Application No. 09/834,553
Filing Date April 12, 2001
First Named Inventor Todd J. Souvignier
Group Art Unit 2152
Examiner Name To be assigned
Attorney Docket No. 004963.P002

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666
Deposit Account Name _____

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed: ☒ Check

Credit Card

Money Order

Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|-----------------|----------|--------------|----------|------------------------------------|----------|
| Code | Fee (\$) | Code | Fee (\$) | | |
| 101 | 710 | 201 | 355 | Utility application filing fee | _____ |
| 106 | 320 | 206 | 160 | Design application filing fee | _____ |
| 107 | 490 | 207 | 245 | Plant filing fee | _____ |
| 108 | 710 | 208 | 355 | Reissue filing fee | _____ |
| 114 | 150 | 214 | 75 | Provisional application filing fee | _____ |
| SUBTOTAL (1) \$ | | | | | _____ |

2. EXTRA CLAIM FEES

| | | Extra Claims | Fee from below | Fee Paid |
|--------------------|-------|-------------------|----------------|------------|
| Total Claims | _____ | - 20** = <u>0</u> | X _____ | = <u>0</u> |
| Independent Claims | _____ | - 3** = <u>0</u> | X _____ | = <u>0</u> |
| Multiple Dependent | _____ | | _____ | = _____ |

**Or number previously paid, if greater; For Reissues, see below.

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|---|
| Code | Fee (\$) | Code | Fee (\$) | |
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 80 | 202 | 40 | Independent claims in excess of 3 |
| 104 | 270 | 204 | 135 | Multiple dependent claim, if not paid |
| 109 | 80 | 209 | 40 | **Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) \$ 0

RECEIVED

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

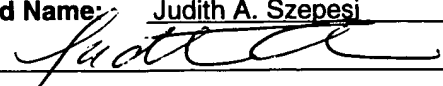
| <u>Large Entity</u> | | <u>Small Entity</u> | | <u>Fee Description</u> | <u>Fee Paid</u> |
|---------------------|-----------------|---------------------|-----------------|--|-----------------|
| <u>Fee Code</u> | <u>Fee (\$)</u> | <u>Fee Code</u> | <u>Fee (\$)</u> | | |
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for ex parte reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 390 | 216 | 195 | Extension for reply within second month | |
| 117 | 890 | 217 | 445 | Extension for reply within third month | |
| 118 | 1,390 | 218 | 695 | Extension for reply within fourth month | |
| 128 | 1,890 | 228 | 945 | Extension for reply within fifth month | |
| 119 | 310 | 219 | 155 | Notice of Appeal | |
| 120 | 310 | 220 | 155 | Filing a brief in support of an appeal | |
| 121 | 270 | 221 | 135 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,240 | 241 | 640 | Petition to revive - unintentional | \$640.00 |
| 142 | 1,240 | 242 | 620 | Utility issue fee (or reissue) | |
| 143 | 440 | 243 | 220 | Design issue fee | |
| 144 | 600 | 244 | 300 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 710 | 246 | 355 | For filing a submission after final rejection (see 37 CFR 1.129(a)) | |
| 149 | 710 | 249 | 355 | For each additional invention to be examined (see 37 CFR 1.129(b)) | |
| 179 | 710 | 279 | 355 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |
| 195 | 300 | 195 | 300 | Publication fee for early, voluntary, or normal publication | |
| 196 | 300 | 196 | 300 | Publication fee for republication | |
| 194 | 130 | 194 | 130 | Request for voluntary publication or republication | |
| 098 | 130 | 098 | 130 | Processing fee under 37 CFR 1.17(i) | |
| 091 | 1,240 | 091 | 1,240 | Acceptance of unintentionally delayed claim for priority | |

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 640.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Judith A. SzepesiSignature:  Date: 3/5/02Reg. Number: 39,393 Telephone Number: 408-720-8300**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.